

### **E.) REMARKS**

This Response is filed in response to the Office Action dated April 23, 2004.

Upon entry of this Response, claims 1-20 will be pending in the Application.

In the outstanding Office Action, the Examiner rejected claims 1-4, 6-13, 15-17, 19 and 20 under 35 U.S.C. 102(e) as being anticipated by Faustini (U.S. Patent No. 6,557,164); rejected claims 5, 14 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Faustini (U.S. Patent No. 6,557,164) in view of Hind et al. (U.S. Patent No. 6,715,129); and objected to claims 1-20 for various informalities.

#### **Rejection under 35 U.S.C. 102**

The Examiner rejected claims 1-4, 6-13, 15-17, 19 and 20 under 35 U.S.C. 102(e) as being anticipated by Faustini (U.S. Patent No. 6,557,164), hereinafter referred to as "Faustini."

Applicants respectfully traverse the rejection of claims 1-4, 6-13, 15-17, 19 and 20 under 35 U.S.C. 102(e).

Faustini, as understood, is directed to a method, system and article of manufacture for creating an object oriented component having multiple bidirectional ports for use with an object oriented based applet or application. Faustini also discusses an applet known as the Visual Java Tool (or VJ Tool) that provides a development or authoring tool to minimize the amount of code a developer needs to write. The VJ Tool is deployed with two main views a logical or document view and a physical view. Components of the logical view and the physical view can be dropped from respective palettes into the view they are associated with. Moving the cursor over any component in the logical view causes a short description of that component to appear. The VJ Tool is a "drag and drop" development environment in which the components are all activated immediately. Changes to the physical view results in corresponding changes in the logical view and vice-versa.

In contrast, independent claims 1 and 16 recite steps of: visually generating in a single visual workspace both decision logic for a web application and a visual layout for the web application on a development computer using a plurality of components, the plurality of components comprising: at least one first component type to accomplish a particular function in

the web application; at least one second component type to arrange the visual layout of the web application; and at least one third component type to link together the first component type and the second component type; transferring the web application to at least one server accessible by users on a computer network; and executing sequentially the components of the web application in response to a request of a user on the computer network for the web application.

Independent claim 8 recites a system to develop web applications and to execute the developed web applications on a computer network, the system comprising: at least one development computer, said at least one development computer being used by an author to generate a web application and said at least one development computer further comprising an authoring tool; at least one storage device to store said web application generated by said author; said authoring tool further comprising means for visually generating in a single visual workspace both decision logic and a visual layout of said web application using a plurality of components and said authoring tool including means for transferring said web application from said at least one development computer to said at least one storage device; and at least one server communicating with said authoring tool, said at least one server comprising means for providing access to said web application stored in said at least one storage device to users on a computer network and said at least one server comprising means for directly executing said plurality of components of said web application in response to a request from a user on said computer network for access to said web application.

\* Several of the features recited by Applicant in independent claims 1, 8 and 16 are not taught or suggested by Faustini. First, Faustini does not teach or suggest visually generating in a single visual workspace both decision logic for a web application and a visual layout for the web application as recited by Applicant in independent claims 1 and 16 nor does Faustini teach or suggest authoring tool further comprising means for visually generating in a single visual workspace both decision logic and a visual layout of said web application as recited by Applicant in independent claim 8. As discussed above, Faustini has two workspaces, one workspace (document view) for the development of decision logic and a second workspace (physical view) for the development of the visual layout of the application. Thus, since Faustini does not teach or suggest all of the limitations recited in independent claims 1, 8 and 16, Applicant respectfully

submits that Faustini does not anticipate Applicant's invention as recited in independent claims 1, 8 and 16.

Furthermore, Faustini does not teach or suggest executing sequentially the components of the web application as recited by Applicant in independent claims 1 and 16. Faustini, as understood, does not provide any details as to how the components generated in the VJ Tool are executed once they are assembled. The Examiner states that Faustini teaches sequential execution in Figure 16 and column 89, lines 10-12. However, Applicant does not understand how a figure (Figure 16) which shows a developed application, with parallel paths, in the document view and a corresponding description that discusses the interconnection of objects can teach or suggest a sequential execution of components as recited by Applicant. The Examiner is asked to further explain how the cited passages of Faustini teach or suggest the recited limitation in claims 1 and 16. Thus, since Faustini does not teach or suggest all of the limitations recited in independent claims 1, 8 and 16, Applicant respectfully submits that Faustini does not anticipate Applicant's invention as recited in independent claims 1, 8 and 16.

Finally, Applicant would like to note that the Examiner states that the claims 8-13 and 15 merely recite a system that performs the method of claims 1-4 and 6-8. Applicant disagrees with the Examiner's position because claims 8-13 and 15 make no reference to any method claims (including claims 1-4 and 6-8) and furthermore the claims recite different limitations from those found in the method claims. Thus, Applicant submits that the Examiner's reasons for rejection are defective and as such cannot be used to reject the claims.

Therefore, for the reasons given above, independent claims 1, 8 and 16 are believed to be distinguishable from Faustini and therefore are not anticipated nor rendered obvious by Faustini.

Dependent claims 2-4, 6, 7, 9-13, 15, 17, 19 and 20 are believed to be allowable as depending from what are believed to be allowable independent claims 1, 8 and 16 for the reasons given above. In addition, claims 2-4, 6, 7, 9-13, 15, 17, 19 and 20 recite further limitations that distinguish over the applied art. For example, claims 6, 15, and 19 are directed to the combining of files or information associated with the application and the selecting of a server computer. As understood by Applicant, these features are not taught or suggested by Faustini even though the Examiner alleges that these features are taught or suggested in Figures 5-17 and columns 69-99.

The Examiner is requested to specifically identify the portions of Faustini that teaches these limitations. Furthermore, claims 7 and 20 are directed to the testing of the application before transferring it to the server. As understood by Applicant, these features are not taught or suggested by Faustini which specifically discusses live instantiation of components which would remove the need for testing. The Examiner alleges that these features are taught or suggested in Figures 5-17 and columns 69-99, but has provided no specific information. The Examiner is requested to specifically identify the portions of Faustini that teach these limitations.

In conclusion, it is respectfully submitted that claims 1-4, 6-13, 15-17, 19 and 20 are not anticipated nor rendered obvious by Faustini and are therefore allowable.

**Rejection under 35 U.S.C. 103**

The Examiner rejected claims 5, 14 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Faustini in view of Hind et al. (U.S. Patent No. 6,715,129), hereafter referred to as "Hind."

Applicants respectfully traverse the rejection of claims 5, 14 and 18 under 35 U.S.C. § 103(a).

Faustini is directed to a development or authoring tool as discussed in greater detail above.

Hind, as understood, is directed to a system for using Java Server Pages.

Applicant submits that dependent claims 5, 14 and 18 are distinguishable from Faustini and/or Hind for at least the following reasons. To begin, dependent claims 5, 14 and 18 are believed to be distinguishable from Faustini and/or Hind as depending from what are believed to be allowable independent claims 1, 8 and 16 as discussed above. Furthermore, there is nothing in Hind that teaches or suggests any of the limitations in independent claims 1, 8 and 16 not taught or suggested by Faustini.

Therefore, in view of the above, dependent claims 5, 14 and 18 are believed to be distinguishable from Faustini and/or Hind and therefore are not anticipated nor rendered obvious by Faustini and/or Hind. In addition, claims 5, 14 and 18 recite further limitations that distinguish over the applied art. In conclusion, it is respectfully submitted that claims 5, 14 and 18 are not anticipated nor rendered obvious by Faustini and/or Hind and are therefore allowable.

### **Objection to the Claims**

The Examiner objected to claims 1-20 for various informalities.

The Examiner stated that claims 1, 8 and 16 had several informalities. In response thereto, Claims 1, 8 and 16 have been amended in a manner believed to overcome the objection and to better define Applicant's invention. Furthermore, Applicant has decided not use the Examiner suggested language of "nodes" because Applicant believes that the adding of the language directed to nodes would make the claims more difficult to understand with Applicant's current recitation of components.

The Examiner stated that claims 2-7, 9-15 and 17-20 contained too many elements identified as visual components without distinction between the types of components. Applicant disagrees with the Examiner's position and believes that the claims clearly identify the components of the invention. However, Applicant has reviewed the claims and amended them in a manner that is believed to better define Applicant's invention and believed to overcome the objection.

The Examiner stated that "means for" language in claims 11-13 and 15 fails to further define the "means for" language in claim 8. Applicant respectfully disagrees with the Examiner and believes that the language in claims 11-13 and 15 further defines Applicant's invention as recited in claim 8. Applicant would also like to point out that the Examiner has already acknowledged that claims 8 and 11 recite different subject matter by stating "because the 'means for' recited in claim 8 already includes the 'means for' that is more specifically defined in claim 11."

Thus, for the reasons provided above, Applicant respectfully submits that the objections to the claims have been overcome.

### **CONCLUSION**

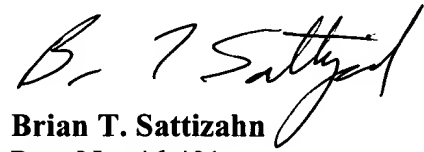
In view of the above, Applicant respectfully requests reconsideration of the Application and withdrawal of the outstanding objections and rejections. As a result of the amendments and remarks presented herein, Applicant respectfully submits that claims 1-20 are not anticipated by nor rendered obvious by Faustini, Hind or their combination and thus, are in condition for allowance. As the claims are not anticipated by nor rendered obvious in view of the applied art,

Applicant requests allowance of claims 1-20 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,  
**McNEES, WALLACE & NURICK**

By



**Brian T. Sattizahn**  
Reg. No. 46,401  
100 Pine Street, P.O. Box 1166  
Harrisburg, PA 17108-1166  
Tel: (717) 237-5258  
Fax: (717) 237-5300

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